



Rce  
JW

|  |                             |                              |
|--|-----------------------------|------------------------------|
| <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b><br>Address to:<br>MAIL STOP RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <i>Application Number</i>   | 10/042,429                   |
|  | <i>Filing Date</i>          | October 19, 2001             |
|  | <i>First Named Inventor</i> | Zipprich                     |
|  | <i>Art Unit</i>             | 2625                         |
|  | <i>Examiner</i>             | Milia, Mark R.               |
|  | <i>Attorney Docket No.</i>  | A1588-US-NP<br>(XERZ 201198) |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 CFR 1.114**

a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☐ Other.

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references

iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **-month extension of time** to respond to the outstanding Office Action.

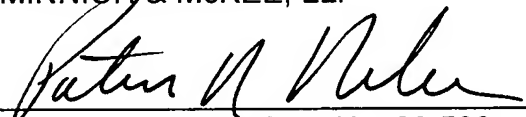
c. ☐ Other \_\_\_\_\_

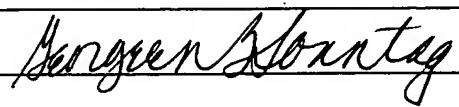
|   |  |                  |          |                  |
|---|--|------------------|----------|------------------|
| 3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)  |  |                  |          |                  |
| CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)   |  |                  |          |                  |
| (1) FOR   | (2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
| TOTAL CLAIMS (37 CFR 1.16(c))   | 28 - 28 =  | 0                | x \$50   | = \$0.00         |
| INDEPENDENT CLAIMS (37 CFR 1.16(b))   | 4 - 4 =  | 0                | x \$200  | = \$0.00         |
| MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))  |  | ANY -- 0         | x \$360  | = \$0.00         |
| APPLICATION SIZE FEE (FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS)  | 0 GROUP(S)   |                  | x \$250  | = \$0.00         |
| BASIC RCE FEE (37 CFR 1.16(a))  |  |                  |          | \$790.00         |
| TOTAL LARGE ENTITY FEE =  |  |                  |          | \$790.00         |
| Payment for the filing of this Request for Continued Examination (and if applicable, the search and examination fees) are authorized to be charged to <b>Deposit Account No. 24-0037.</b> |  |                  |          |                  |

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

11/6/06  
Date

  
Patrick R. Roche, Reg. No. 29,580  
Eric W. Lee, Reg. No. 58,857  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
Customer No. 000062095  
216-861-5582

|  |   |
|--|---|
| Certificate of Mailing or Transmission   |   |
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being |   |
| <input checked="" type="checkbox"/>  | deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |
| <input type="checkbox"/>   | transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.   |
| Express Mail Label No.:  | Signature:    |
| Date: November 6, 2006   | Name: Georgeen B. Sonntag   |

N:\XERZ\201198\GBS0001190V001.doc